REMARKS

Claims 38, 41-45, 47-57, 59-61, 63-71, and 73-76 are pending in the application. Claims 1-37, 39, 40, 46, 58, 62, and 72 were previously cancelled.

Applicant acknowledges with appreciation the Office Action's finding that claims 53-56 and 66-69 would be allowable if rewritten in independent form so that they are no longer dependent on a rejected base claim.

Claims 38, 41-44, 47, 50, 52, 70, and 76 been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,095,277, to Bleuthman et al, hereinafter "Bleuthman," in view of U.S. Patent No. 5,659,801 to Kopsaftis, hereinafter "Kopsaftis," in view of "QMS 2060 EX, 2425 Turbo EX" by Tom, hereinafter "Tom," and in view of "PostScript: Answers to Questions" by Braunsdorf, hereinafter "Braunsdorf." Claims 38 and 70 are independent. Claims 41-44, 47, 50, 52, and 76 depend from claim 38. Applicant respectfully traverses this rejection.

Claim 38 provides a method for a printer linked to a computing device to update microcode of the printer. The method comprises the step of receiving from the computing device one or more files across an interface suitable for conveying information to be printed by the printer, wherein at least one of the files is a print job file comprising an embedded microcode module. The module is one of a plurality of modules in the print job file.

The method of claim 38 further comprises the step of recognizing if a received file is a print job file, and if a received print job file comprises an embedded microcode module. If a received print-job file does not include a microcode module, then the print-job file is processed normally.

The method of claim 38 further comprises writing a least one microcode module

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received in a print job file to a memory area in said printer indicated in said print job file, wherein the print job file further comprises a single file header portion and a separate file data portion, and wherein the presence of a microcode module in the print job file is indicated by a bit pattern in said file header portion of the print job file.

In the passage cited by the Office Action, Braunsdorf discloses that a variation of Encapsulated PostScript (EPS) embeds the preview image and PostScript (PS) text in a binary file that contains a header and the preview image, in either a TIFF or MetaFile format. This header defines where in the file each section starts and ends.

As admitted in the Office Action, Bleuthman fails to disclose a print job file that comprises a single file header portion and a separate file data portion, and wherein the presence of a microcode module in the print job is indicated by a bit pattern in the file header portion of the print job file, as required in claim 38. Applicant respectfully submits that Braunsdorf also fails to disclose or suggest these characteristics of the print job file of claim 38.

Braunsdorf does not disclose or suggest that the existence or presence of a microcode module in the print file is indicated by a bit pattern in the file header. Braunsdorf discloses that the header of a print job file defines where in the file each section starts and ends. In other words, Braunsdorf does not disclose or suggest how the file processing entity knows that it should look for the data section, which is accomplished by the bit pattern in the file header portion of the print job file of claim 38. Applicant regrets that this distinction was not made clearer in the last Amendment.

Bleuthman, Kopsaftis, and Tom fail to cure the deficiency of Braunsdorf to disclose or suggest all of the elements of claim 38. Therefore, claim 38 is patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf.

Claims 41-44, 47, 50, 52, and 76 depend from claim 38. For at least the reasons provided in support of the patentability of claim 38, claims 41-44, 47, 50, 52, and 76 are

also patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf.

Claim 70 is similar to claim 38, and also recites that the print job file comprises a single print job file header portion and a print job file data portion, wherein the print job file header portion further comprises a bit pattern indicating whether the print job file includes a microcode module. As previously discussed with respect to claim 38, neither Bleuthman, Kopsaftis, Tom, or Braunsdorf discloses or suggests these features. Therefore, claim 70 is patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf.

For the reasons set forth above, the rejection of claims 38, 41-44, 47, 50, 52, 70, and 76 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf is overcome. Applicant respectfully requests that the rejection of claims 38, 41-44, 47, 50, 52, 70, and 76 be reconsidered and withdrawn.

Claim 45 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, in view of U.S. Patent No. 5,206,735, to Gauronski et al., hereinafter "Gauronski." Applicant respectfully traverses this rejection.

Claim 45 depends indirectly from claim 38. As previously stated, Bleuthman, Kopsaftis, Tom, and Braunsdorf fail to disclose or suggest every feature of claim 38. Gauronski fails to cure the deficiency of these references to disclose or suggest the features of claim 38. Therefore, for at least the reasons discussed above with respect to claim 38, claim 45 is patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, and Gauronski.

For the reasons set forth above, the rejection of claim 45 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and Gauronski is overcome. Applicant respectfully requests that the rejection of claim 45 be reconsidered and withdrawn.

Claims 48, 49, 71, and 73 have been rejected under 35 U.S.C. 103(a) as being

unpatentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, in view of U.S. Patent No. 5,649,112, to Yeager et al., hereinafter "Yeager." Applicant respectfully traverses this rejection.

Claims 48 and 49 depend indirectly from claim 38. Claim 73 depends from claim 71, which in turn depends from claim 70. As previously stated, Bleuthman, Kopsaftis, Tom, and Braunsdorf fail to disclose or suggest every feature of claims 38 and 70. Yeager fails to cure the deficiency of these references to disclose or suggest the features of claims 38 and 70. Therefore, for at least the reasons discussed above with respect to claims 38 and 70, claims 48, 49, 71, and 73 are patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, and Yeager.

For the reasons set forth above, the rejection of claims 48, 49, 71, and 73 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and Yeager is overcome. Applicant respectfully requests that the rejection of claim 48, 49, 71, and 73 be reconsidered and withdrawn.

Claims 51 and 75 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, in view of U.S. Patent No. 4,868,866, to Williams, Jr., hereinafter "Williams." Applicant respectfully traverses this rejection.

Claims 51 and 75 depend from claim 50, which in turn depends directly from claim 38. As previously stated, Bleuthman, Kopsaftis, Tom, and Braunsdorf fail to disclose or suggest every feature of claim 38. Williams fails to cure the deficiency of these references to disclose or suggest the features of claim 38. Therefore, for at least the reasons discussed above with respect to claim 38, claims 51 and 75 are patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, and Williams.

For the reasons set forth above, the rejection of claims 51 and 75 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and

Williams is overcome. Applicant respectfully requests that the rejection of claims 51 and 75 be reconsidered and withdrawn.

Claims 57, 59, 60, 64, and 65 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, in view of the "Background of the Invention" section appearing on pages 1 and 2 of the specification of the present application, hereinafter "BOTI." Claim 57 is independent. Applicant respectfully traverses this rejection.

Claim 57 includes similar features to claims 38 and 70. Specifically, claim 57 also includes the feature that the print job file uploaded by the computing device recited therein comprises a single print job file header and a separate print job file data, wherein presence of a microcode module in said print job file is indicated by a bit pattern in a header portion of the print job file. As previously discussed with respect to claims 38 and 70, Bleuthman, Kopsaftis, Tom, and Braunsdorf fail to disclose or suggest these features required in claim 57. The BOTI fails to cure the deficiency of these references to disclose or suggest the features of claim 57.

Therefore, for at least the reasons discussed above with respect to claim 38, claims 57, 59, 60, 64, and 65 are patentable over Bleuthman, Kopsaftis, Tom, and Braunsdorf, and the BOTI.

For the reasons set forth above, the rejection of claims 57, 59, 60, 64, and 65 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and the BOTI is overcome. Applicant respectfully requests that the rejection of claims 51 and 75 be reconsidered and withdrawn.

Claims 61, 63, and 74 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and the BOTI, in further view of Yeager. Applicant respectfully traverses this rejection.
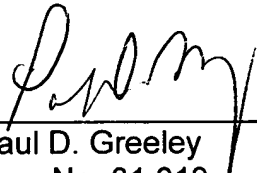
Claim 63 depends from claim 61, which in turn depends from claim 57. Claim 74 depends indirectly from claim 70. As previously stated, Bleuthman, Kopsaftis, Tom, and Braunsdorf fail to disclose or suggest every feature of claims 57 and 70. Yeager fails to cure the deficiency of these references to disclose or suggest the features of claims 57 and 70. Therefore, for at least the reasons discussed above with respect to claims 57 and 70, claims 61, 63, and 74 are patentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and Yeager.

For the reasons set forth above, the rejection of claims 61, 63, and 74 under 35 U.S.C. 103(a) as being unpatentable over Bleuthman, Kopsaftis, Tom, Braunsdorf, and Yeager is overcome. Applicant respectfully requests that the rejection of claims 61, 63, and 74 be reconsidered and withdrawn.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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